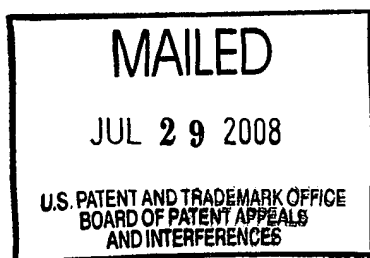


UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte NATHAN S. LEWIS,  
CAROL LEWIS, ROBERT GRUBBS  
and  
GREGORY ALLEN SOTZING

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Application 09/409,644

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ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

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A Supplemental Examiner's Answer was mailed on August 22, 2007 in response to the Reply Brief filed May 10, 2007. However, this Answer is deficient pursuant to § 1207.05 of the Manual of Patent Examining Procedure (MPEP) (Eighth Edition, Rev. 5, August 2006) which states that "[e]very supplemental examiner's answer must be approved by a Technology Center (TC) Director or designee." It should be noted that TC 1700 only allows approval by the Director or a Quality Assurance Specialist (QAS). Correction is required.

Accordingly, it is

ORDERED that the application is returned to the Examiner:

- 1) for obtaining the signature of the Technology Center (TC) Director or QAS on the Supplemental Examiner's Answer mailed August 22, 2007; and
- 2) for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By:   
DALE M. SHAW  
Chief Appeals Administrator  
(571) 272-9797

DMS:psb

Buchanan, Ingersoll & Rooney LLP  
P.O. Box 1404  
Alexandria, VA 22313-1404